

1 AMENDMENT TO SENATE BILL 1225

2 AMENDMENT NO. _____. Amend Senate Bill 1225 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Structural Pest Control Act is amended
5 by changing Sections 3.11, 4, 6, 9, and 22 as follows:

6 (225 ILCS 235/3.11) (from Ch. 111 1/2, par. 2203.11)

7 Sec. 3.11. "Commercial Structural Pest Control Business"
8 means any business in the course of which any person
9 performs, advertises, or contracts to perform structural pest
10 control services on property under the ownership or control
11 of another ~~in-exchange-for-any-consideration~~.

12 (Source: P.A. 82-725.)

13 (225 ILCS 235/4) (from Ch. 111 1/2, par. 2204)

14 Sec. 4. Licensing and registration location
15 requirements}.

16 (a) It shall be unlawful for any person to engage in a
17 commercial structural pest control business at any location
18 in this State or within Illinois from any location outside
19 this State, ~~after--October--21,--1977~~, unless such person is
20 licensed by the Department. A person shall have a separate
21 license for each commercial structural pest control business

1 location. ~~It shall also be unlawful for any person to engage~~
 2 ~~in a commercial pest control business in Illinois from any~~
 3 ~~location outside this State unless such person is licensed by~~
 4 ~~this Department.~~ The licensee may use its state
 5 identification number in all forms of advertising.

6 (b) It shall be unlawful for any person who owns or
 7 operates a non-commercial structural pest control location to
 8 engage in non-commercial structural pest control using
 9 restricted pesticides in this State after ~~October 21, 1977,~~
 10 unless registered as a non-commercial structural pest control
 11 location by the Department.

12 (c) No person shall be licensed or registered as a
 13 commercial or non-commercial structural pest control business
 14 at any location without complying with the certification
 15 requirements as prescribed in Section 5 of this Act.

16 (d) If a licensee or registrant changes its location of
 17 operation during the year of issuance, the Department shall
 18 be notified in writing of the new location within 15 days.
 19 The old license or registration shall accompany the
 20 notification along with the fee as prescribed in Section 9 of
 21 this Act be surrendered and, upon receipt, a replacement will
 22 be issued by the Department for a fee of \$10.

23 (e) All licenses and registrations issued under this Act
 24 shall expire on December 31 of the year issued, except that
 25 an original license or registration issued after October 1
 26 and before December 31 shall expire on December 31 of the
 27 following year. A license or registration may be renewed by
 28 filing a completed renewal making application on a form as
 29 prescribed by regulation and the Department and by paying the
 30 fee prescribed in Section 9 with the Department no later than
 31 December 1 preceding the date of expiration. Applications
 32 received by the Department postmarked after December 1 but
 33 before December 31 shall be accompanied by the required late
 34 filing fee as prescribed in Section 9. License or

1 registration applications postmarked after December 31 will
 2 not be eligible for renewal required-by--this--Act. Renewal
 3 applications--shall--be--filed--with--the-Department-prior-to
 4 December-1-of-each-year.

5 (f) No license or registration shall be transferable
 6 from one person to another.

7 (g) No person shall be licensed as a commercial pest
 8 control business location without complying with the
 9 insurance requirements of Section 9 of this Act.

10 (Source: P.A. 83-825.)

11 (225 ILCS 235/6) (from Ch. 111 1/2, par. 2206)

12 Sec. 6. Renewal of technician certification.
 13 Certificate--renewal}. A certified technician's certificate
 14 shall be valid for a period of 3 years expiring on December
 15 31 of the third year, except that an original certificate
 16 issued between October 1 and December 31 shall expire on
 17 December 31 of the third full calendar year following
 18 issuance. and--must--be--renewed--by-January-1-of-each-third
 19 year. A certificate may be renewed by application upon a
 20 form prescribed by the Department, provided that the
 21 certified technician provides the following:

22 (1) A renewal application filed with the Department
 23 and postmarked no later than the December 1 preceding the
 24 date of expiration. Applications received by the
 25 Department after December 1 shall be accompanied by the
 26 required late filing charge prescribed in Section 9 of
 27 this Act.

28 (2) Evidence attached to the renewal application or
 29 on file with the Department of acquiring, during the
 30 certification period, a minimum of 9 classroom contact
 31 hours, in increments of 3 hours or more, of training at
 32 Department-approved pest control training seminars.

33 (3) The required fee as prescribed in Section 9 of

1 ~~this Act. furnishes evidence that he has attended, during~~
2 ~~the 3 year period at least one training seminar and any~~
3 ~~additional approved seminar on structural pest control~~
4 ~~required by any rule promulgated under this Act and pays~~
5 ~~the fee required by this Act. Renewal applications shall~~
6 ~~be filed with the Department prior to December 1~~
7 ~~preceding the date of expiration.~~

8 Certified technician's certificates are not transferable
9 from one person to another person, and no licensee or
10 registrant shall use the certificate of a certified
11 technician to secure or hold a license or registration unless
12 the holder of such certificate is actively engaged in the
13 direction of pest control operations of the licensee or
14 registrant.

15 A certified technician who has not renewed a his
16 certificate for a period of not more than one year after its
17 expiration may secure a renewal upon payment of the renewal
18 fee, late filing charge and the furnishing of evidence of
19 training in accordance with item (2) of this Section as may
20 be required by the Department. If a technician has not
21 renewed the his certificate for a period of more than one
22 year after its expiration, the technician he shall file an
23 original application for examination, pay all required fees
24 including, but not limited to, renewal examination fees or
25 late filing fees, and successfully pass the examination
26 before his certificate is renewed.

27 Any individual who fails to renew a certification by the
28 date of expiration shall suspend the performance of all pest
29 control activities under this Act until the requirements of
30 this Section have been met and a certificate is issued by the
31 Department.

32 (Source: P.A. 83-825.)

33 (225 ILCS 235/9) (from Ch. 111 1/2, par. 2209)

1 Sec. 9. Fees and required insurance.

2 (a) The fees required by this Act are as follows:

3 (1) The fee for an original commercial structural
4 pest control business license is \$250, and the fee for
5 each renewal of the commercial structural pest control
6 business license is \$150.

7 (2) The fee for an original non-commercial
8 structural pest control business registration is \$200,
9 and the fee for each renewal of the non-commercial
10 structural pest control registration is \$125.

11 (3) The fee for an application for examination as a
12 certified technician including an original certificate is
13 \$75, and the fee for each renewal of the certified
14 technician license is \$75.

15 (4) The fee for an application for examination in
16 sub-categories not previously examined of for
17 reexamination as a certified technician in areas
18 previously failed is \$50.

19 (5) The fee for replacement of licenses,
20 registrations, or certifications is \$25.

21 (6) The fee for late filing for any license,
22 registration, or certification is \$75.

23 (7) The fee for multiple copies of this Act and the
24 rules adopted under this Act or for any category or
25 sub-category of training materials is \$5 per copy of
26 each.

27 ~~(a) For an original license and each renewal~~
28 ~~\$100.~~

29 ~~(b) For an original registration and each renewal~~
30 ~~\$50.~~

31 ~~(c) For each certificate renewal ---\$40.~~

32 ~~(d) For an application for examination including an~~
33 ~~original certificate ---\$40.~~

34 ~~(e) Any person who fails to file a renewal~~

1 application--by--the--date--of--expiration--of--a--license,
2 certification-or-registration-shall-be--assessed--a--late
3 filing-charge-of-\$75.

4 (f)--For--duplicate-copies-of-certificates,licenses
5 or-registrations---\$10.

6 All fees shall be paid by check or money order. Any fee
7 required by this Act is not refundable in the event that the
8 original application or application for renewal is denied.

9 (b) Every application for an original commercial
10 structural pest control business location license shall be
11 accompanied by a certificate of insurance issued by an
12 insurance company authorized to do business in the State of
13 Illinois or by a risk retention or purchasing group formed
14 pursuant to the federal Liability Risk Retention Act of 1986,
15 which provides primary, first dollar public liability
16 coverage of the applicant or licensee for personal injuries
17 for not less than \$100,000 per person, or \$300,000 per
18 occurrence, and, in addition, for not less than \$50,000 per
19 occurrence for property damage, resulting from structural
20 pest control. The insurance policy shall be in effect at all
21 times during the license year and a new certificate of
22 insurance shall be filed with the Department within 30 days
23 after the renewal of the insurance policy. Each application
24 for renewal of a commercial structural pest control location
25 license shall also include a certificate of insurance as
26 detailed above unless a valid certificate of insurance is
27 already on file with the Department. Applicants for
28 registration or registration renewal shall not be required to
29 provide evidence of public liability insurance coverage.

30 All administrative civil fines and fees collected
31 pursuant to this Act shall be deposited into the Pesticide
32 Control Fund established pursuant to the Illinois Pesticide
33 Act. The amount annually collected as administrative civil
34 fines and fees shall be appropriated by the General Assembly

1 to the Department for the purposes of conducting a public
2 education program on the proper use of pesticides and for
3 other activities related to enforcement of this Act and the
4 Illinois Pesticide Act.

5 (Source: P.A. 87-703.)

6 (225 ILCS 235/22) (from Ch. 111 1/2, par. 2222)

7 Sec. 22. Scope of Act}. The provisions of this Act
8 apply to any structural pest control operations performed by
9 the State or agency thereof. However, the State Health
10 Department ~~or--agency--thereof~~ or any local health department
11 unit-of-local-government shall not be required to pay any
12 fees, nor shall the employees thereof engaged in pest control
13 activities in their official capacity be required to pay any
14 fees for examination, certification or renewal of
15 certification ~~in-the-sub-categories--of--either--(f)--or--(g)~~
16 ~~specified-in-Section-7-of-this-Act.~~

17 This Act does not apply to any person certified by the
18 Illinois Department of Agriculture to use restricted
19 pesticides in structures on his own individual property.

20 (Source: P.A. 82-725.)".